

The Honourable David Tkachuk  
The Senate of Canada  
Room 401, Victoria Building  
Ottawa, Ontario  
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May 16, 2013

I write to you today with some concerns around the decisions of the Committee of Internal Economy and the Subcommittee on Living Allowances regarding my primary residence.

As is well documented, I co-operated fully with Deloitte, LLP, providing them with the four items needed to establish primary residency according to Senate policy. As you know, the Standing Committee uses four (4) indicators to determine whether senators have met the primary residency test. Item 5.2.1 and Table 4 of the Deloitte report clearly show that I have met these four indicators -- my driver's license, health card, income tax returns and voting information.

Despite meeting Deloitte's primary residence criteria and co-operating fully and completely, the Senate committee on Internal Economy tabled a report in the Senate Chamber on May 9, in which I am asked to reimburse the housing allowance. This is quite surprising as Deloitte has found no improprieties, no misuse of funds, and no intent to skirt the rules in any way on my part.

Where rules have been broken, it is right and proper that reimbursements are made. When a senator follows the rules, and is found to have done so by an outside audit, yet is asked to reimburse, something, clearly is amiss.

To help Canadians understand the decision making process of their Senate, I invite the Committee to hold an open meeting, in which the following questions can be addressed:

1. By what process did the Committee come to its conclusion regarding my primary residence?
2. In precisely which section of the policy does it state the percentage of time at which a senator must be at, or be seen by the media at, his/her primary residence? Is this a new indicator that you have just recently developed?
3. Why has the Committee come to a different conclusion than Deloitte regarding my primary residence in Maniwaki? This is a particularly interesting move for the Committee as Deloitte made their determination according to Senate policy. Deloitte did not impose

a new definition of primary residency upon the Committee. They referred directly to your very own policy.

4. If the Senate has decided to change its rules regarding secondary housing, why are they punishing senators who followed the rules as they were at the time? To what extent is it ethical to change rules and mete out punishments retroactively based upon these new rules?
5. Has the Senate decided to change the rules regarding the number of kilometers away from Parliament a senator must live in order to be eligible for the secondary housing allowance? If that is the case, those of us who have been abiding by Senate policy and wish to continue so doing, should be informed of this new kilometer limit.

Moving forward, Canadians deserve a Senate in which there are clearly established policies that are enforced equally among all senators. The Senate is entitled to update and revise their rules. But it is highly questionable to enact a new housing policy and suddenly declare those who were compliant with the policy as it was to now be non-compliant.

Having an open and transparent airing of these issues would serve the Senate well. Rather than conducting meetings in secret, it would do well to demonstrate its fairness by publicly disclosing its decision making process. For my part I have in no way attempted to deceive this institution by claiming ineligible expenses. I fully and completely co-operated with the outside auditors. When people have nothing to hide, they do not attempt to hide. Likewise, I would encourage all Honourable senators to demand accountability and transparency beginning with an open meeting into these issues.

Sincerely,  
Senator Patrick Brazeau

c.c.: Hon. Elizabeth Marshall, Chair of the Subcommittee on Living Allowances  
Hon. Gerald Comeau  
Hon. Larry Campbell  
Hon. George J. Furey  
Hon. Carolyn Stewart-Olsen  
Gary W. O'Brien, Clerk of the Senate  
Jill Anne Joseph, Director of Internal Audit  
Michel Patrice, Deputy Law Clerk and Parliamentary Counsel